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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/769,795	02/03/2004	Eiji Okabe	2004-0141A	9246
513	7590 09/21/2004		EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W.			WU, SHEAN CHIU	
SUITE 800	SEI N. W.		ART UNIT PAPER NUMBER	
WASHINGT	INGTON, DC 20006-1021		1756	
			DATE MAILED: 09/21/2004	1

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
	10/769,795	OKABE ET AL.	
Office Action Summary	Examiner	Art Unit	
	Shean C. Wu	1756	
The MAILING DATE of this communication Period for Reply	appears on the cover sheet with the	he correspondence addre	9SS
A SHORTENED STATUTORY PERIOD FOR RETHE MAILING DATE OF THIS COMMUNICATIO - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a - If NO period for reply is specified above, the maximum statutory per - Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the mearned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on Office Interval	N. R 1.136(a). In no event, however, may a reply to reply within the statutory minimum of thirty (30 fod will apply and will expire SIX (6) MONTHS atute, cause the application to become ABAND ailing date of this communication, even if timely	to be timely filed) days will be considered timely, from the mailing date of this commonent (25 U.S.C. & 122).	nunication.
l	his action is non-final.		
3) Since this application is in condition for allocal closed in accordance with the practice under	wance except for formal matters, er <i>Ex parte Quayle</i> , 1935 C.D. 11	prosecution as to the m, 453 O.G. 213.	erits is
Disposition of Claims			
4) Claim(s) <u>1-40</u> is/are pending in the applicating 4a) Of the above claim(s) is/are without 5) Claim(s) is/are allowed. 6) Claim(s) <u>1-11,18-31 and 38-40</u> is/are rejected to claim(s) <u>12-17 and 32-37</u> is/are objected to 8) Claim(s) are subject to restriction and	lrawn from consideration. ed.		
Application Papers			
9) The specification is objected to by the Exam			
10)☐ The drawing(s) filed on is/are: a)☐ a			
Applicant may not request that any objection to the			
Replacement drawing sheet(s) including the corn 11) The oath or declaration is objected to by the	ection is required if the drawing(s) is Examiner. Note the attached Offi	objected to. See 37 CFR 1 ice Action or form PTO-1	.121(d). I52.
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the prapplication from the International Bure * See the attached detailed Office action for a line	ents have been received. Ints have been received in Applic iority documents have been rece eau (PCT Rule 17.2(a)).	ation No ived in this National Sta	ge
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date 2/3/04.	4) Interview Summa Paper No(s)/Mail 8) 5) Notice of Informa 6) Other:	ary (PTO-413) Date I Patent Application (PTO-152)

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DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-11, 18-31 and 38-40 rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly (US 5,032,312).

The reference discloses novel compounds represented by formula I, which include the present formulae (I-1) and (I-2). See the compounds of col. 23, lines 45-68. The reference further teaches the 0.1-100 wt.% can be used in liquid crystal mixture (see col. 14, lines 17-29). The reference mixtures containing the suitable compounds of the formulae (col. 14 to col. 15) encompass the present formulae (2)-(4), which are useful for nematic display device. See the reference claims 18-23.

The reference differs from the claims in that the claimed composition has a negative dielectric anisotropy. It is known that the reference compounds 2,3-difluorobenzene with an allyl ether (col. 23, lines 45-68) have negative dielectric anisotropy (see CAPLUS 1991: 571442). Therefore, it would have been obvious to those skilled in the art to use negative dielectric anisotropy of the reference compounds (compounds 2,3-difluorobenzene with an allyl ether) to admix with other suitable

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compounds (formulae XX-XXII and XIV-XXXI on col. 14 to col. 15) to arrive at the

claimed invention.

Allowable Subject Matter

3. Claims 12-17 and 32-37 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

4. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Shean C. Wu whose telephone number is 571-272-1393. The

examiner can normally be reached on 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mark Huff can be reached on 571-272-1385. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217, 9197 (toll-free).

Shean C Wu

Primary Examiner

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